

## **OFFICE OF AIR & RADIATION (OAR) 2014 TRIBAL AGENDA**

The Office of Air and Radiation (OAR) recognizes the important role that tribes have historically played in environmental issues including air quality. Tribal citizens are often disproportionately affected by air pollution, while their governments play an increasingly valuable role in controlling and reducing pollution and its adverse health effects. OAR's national programs provide important air quality and health benefits to tribal communities while assisting the efforts of tribal governments. However, our obligations to support tribes in addressing air quality goals extend beyond these national efforts to include tribal specific priorities. OAR's annual tribal agenda reflects the specific actions we intend to take in 2014 to directly support tribes in our joint efforts to reduce the health impacts of air pollution. This document discusses planned activities by OAR headquarter offices: Office of Radiation and Indoor Air (ORIA); Office of Air Quality Planning and Standards (OAQPS); Office of Transportation and Air Quality (OTAQ) and Office of Atmospheric Programs (OAP) to support, expand and assist tribal implementation of air quality management activities nationwide in fiscal year (FY) 2014. Note that much of EPA's support for improved air quality and increased capacity for air quality protection on tribal lands comes through activities led by EPA's regional offices. OAR headquarter offices and the regions work together on many tribal issues, and the headquarters activities described below supplement, complement and support the regional efforts. OAR also includes an appendix to our annual Tribal Agenda to highlight the previous year's achievements (*see A-2 in the Appendix for the OAR 2013 Tribal Agenda*).

In 2014, OAR will continue to support development of tribal capacity to improve outdoor and indoor air quality and implement the Clean Air Act (CAA) in Indian country. OAR will minimize budgetary impacts on this capacity building as much as possible. Tribes have made tremendous progress with air quality management; but, there is still significant need for tribal air quality management programs to be developed, refined and supported. OAR has a robust set of activities underway for 2014 to support tribal activities. These actions include four priority areas: 1) Training and Capacity Building; 2) Technical Support; 3) Rules and Policies; 4) Internal EPA Activities and Additional Programmatic Efforts.

### **1. TRAINING AND TRIBAL CAPACITY BUILDING**

OAR recognizes the need for ongoing training and capacity building with our tribal partners. These opportunities are currently conveyed through our direct interactions with tribes and through the implementation of key grants, such as a cooperative agreement with Northern Arizona University's Institute for Tribal Environmental Professionals (ITEP) and ongoing efforts with the National Tribal Air Association (NTAA). The following are OAR's specific training and capacity building activities for 2014:

#### **Ambient Air Quality and Toxics**

- a. Provide informational webinars and conference calls on program and regulatory development and implementation to allow tribes the opportunity to participate in the rulemaking process.
- b. Provide tribal designations support through training, technical tools and air quality analyses to allow tribes to participate in the designations process. [OAQPS]

- c. Expand the areas of training and general permitting to assist tribes with implementation of the Tribal New Source Review (NSR) rule. [OAQPS]
- d. Provide guidance and trainings for program development (i.e., Tribal Implementation Plan (TIP) Guidance and specific training on NSR).

### **Indoor Air and Radiation**

- a. In FY 2014, the Tribal Air Monitoring Support (TAMS) Center will deliver seven training courses that will include: IAQ diagnostic equipment, management of air quality grants, permit review, GIS air quality application, and air pollution technology.
- b. Pilot tribal radiation education materials designed for middle school students in American Indian and Alaskan Native communities. These classroom activities are intended to increase awareness and greater understanding of radiation health risks; the materials focus on the real-life public health and environmental issues (e.g., uranium mining) encountered on tribal lands. Initial pilot testing occurred in Anchorage, Alaska at the 39th Bilingual Multicultural Education/Equity Conference. Roll out of the educational materials, alongside ORIA's RadTown, is expected to take place in the latter part of the fiscal year.
- c. In an effort to provide more training to government and tribal governmental personnel, ORIA will offer Multi Agency Site Survey and Investigation Manual (MARSSIM) training this fall via webinar. The training will be free to tribal government personnel. Additionally, ORIA has plans to offer the MARSSIM and Multi Agency Radiation Survey and Assessment of Materials and Equipment (MARSAME) manual training courses as a DVD-based self-study course. This training will be available to government personnel, including those of tribes.
- d. Develop in conjunction with ITEP, the *Indoor Air Quality (IAQ) in Tribal Communities* project. The goal of the project is to assist tribes to develop implementation strategies for IAQ management plans in their communities. The project includes the IAQ track at the National Tribal Forum (NTF), tribal case studies presented by tribal speakers, travel scholarships for tribal participants to NTF, webinars, and individual assistance with planning and implementation. In FY 2014, five to 10 tribal professionals will receive travel scholarships to NTF, and approximately 20 tribal professionals will begin development of IAQ action plans.[ORIA]
- e. As a result of the IAQ in the Tribal Communities Project, at least five tribal communities will develop community partnerships and collaborations along with action plans for community-based IAQ school management planning, radon reduction activities, asthma reduction activities or addressing other IAQ issues. [ORIA]
- f. ORIA is also partnering with the Institute for Tribal Environmental Professionals (ITEP) to develop communication tools including website, webinars, podcasts, case studies, newsletters to improve tribal knowledge on important indoor air quality issues.

### **Climate Change**

- a. Strengthen technical capacity of tribal environmental professionals to address climate change and energy issues by providing data, information, and resources on sources of greenhouse gas emissions (GHG); opportunities for GHG emissions reductions, including through renewable energy, energy efficiency, and related clean technologies; climate change indicators and impacts; and climate change adaptation planning. Through an ongoing cooperative agreement with ITEP, OAP will continue to support a national climate change adaptation planning training program and online resources for tribes.

## 2. TECHNICAL SUPPORT

OAR recognizes the need to provide direct technical support to our tribal partners to assist them in implementing effective air quality programs and projects through the following activities:

### Ambient Air Quality and Toxics

- a. Support technical capacity building with tribes through technical support for training activities with ITEP, NTAA, policy calls, Tribal Air Newsletters and websites.
- b. Provide technical monitoring and inventory support with a focus on analyzing data, modeling and implementing existing information and technical tools. [OAQPS]
- c. Develop an EPA video explaining the Multi-Pollutant Infrastructure SIP Guidance for Elements of CAA Section 110(a)(1) and 110(a)(2) as it relates to tribes and states. [OAQPS]
- d. Develop resource documents for open burning programs, and agricultural, forestry, and silvicultural burning programs in Indian country. [OAQPS]
- e. Finalize and release the following resource documents: 1) Tribal Implementation Plan resource guide and the *Clean Air Act: Summary of Content for Applicability for TAS for Titles I, III, and V*. [OAQPS]
- f. Develop a Tribal Air Monitoring Session for tribes at the August 2014 National Ambient Air Monitoring Conference. [OAQPS]
- g. Continue discussion and outreach on the use of ambient air monitoring sensor applications. [OAQPS]
- h. Retool the Emission Inventory/TEISS Course as instructor-led modules over a longer period of time. After each module, participants must complete homework which will result in a Level 4 Emission Inventory by the end of the course. We are on track to have all 15 participants complete their inventories with the very first group. ITEP will also have instructor-led Level 2-3 Emission Inventory courses for those tribes who wish to have a more detailed inventory. [OAQPS]
- i. Continue development and maintenance of the OAR Tribal System (OTS) database to track tribal program progress across the country. [OAQPS]
- j. Expand technical support for the Diesel Emissions Reduction Act (DERA) program. DERA tribal staff will host a total of five tribal teleconferences on the availability of DERA FY 2014 National Funding Assistance Program Tribal Request for Proposals (RFP) grant opportunities. [OTAQ]
- k. Provide technical visits to at least two DERA tribal award projects. [OTAQ]
- l. Introduce a standalone DERA Tribal RFP to streamline the competition process and address the unique tribal parameters that challenge DERA eligible diesel reduction projects in Indian country. [OTAQ]
- m. Participate and present on mobile sources issues and rules, as well as the FY 2014 DERA Tribal RFP at the 2014 National Tribal Forum in Washington State in May 12-15, 2014. [OTAQ]
- n. Support the installation of two CASTNET small-footprint tribal monitoring sites at Kickapoo (KS) (installed February 2014) and Red Lake (MN) (scheduled to be installed spring 2014). These small-footprint monitoring sites provide a low cost, low maintenance method for tribes to become involved with the CASTNET monitoring program. [OAP]

### **Indoor Air and Radiation**

- a. TAMS Technology Specialist responds to technical requests varying from providing assistance in setting up an ambient air quality monitoring instrument to troubleshooting of instruments. All the responses are one on one based training at the tribal site. It is projected that between five to seven projects will be completed in FY 2014.
- b. Currently, the future of the gravimetric laboratory is contingent upon a completion of a Request for Proposal (RFP) whereby gravimetric lab operation will transition from the in-house TAMS lab in Las Vegas to a contracting laboratory. It is projected that this RFP will be completed in late spring 2013. Meanwhile, the TAMS laboratory will continue to serve seven (7) tribes until this contract laboratory service is operational.
- c. The TAMS Center has hired an equipment manager to oversee and manage the diverse inventory of ambient/indoor air monitoring equipment available for loan to tribes depending on their need. The equipment manager's responsibilities include developing a current inventory of ready to use instruments/equipment that can be deployed to tribal sites as needed and coordinate development of Standard Operating Guidance (SOG) for various air monitoring instruments that are set aside exclusively to be loaned to the tribes. This document assures that the instruments shipped to the tribes are in best working conditions, are calibrated and produce validated data in the field. It will also contain procedures for the field operator to follow to assure quality data collection/management.
- d. Continue to support tribes in addressing unique radiation problems, concerns and issues. As appropriate, ORIA will provide technical assistance, training, guidance, and/or presentations to tribal governments and communities. For example, in November 2013, ORIA fulfilled a request from tribes for information on the impact of radiation on Alaskan Native populations, with a focus on the Fukushima, Japan nuclear incident. Staff gave a presentation at the Alaska Tribal Conference on Environmental Management. Approximately 50 people attended the presentation.

### **Climate Change**

- a. Provide technical support for climate change mitigation-related activities. [OAP]
- b. Continue to support six tribal Climate Showcase Community (CSC) grant recipients through administration of the CSC Program. Two tribes (Tanana Chiefs Conference and Santa Ynez Band of Chumash Indians) continue to have active grants. All six tribes will continue to receive access to CSC training opportunities and technical assistance as needed. [OAP]
- c. Promote use of the Tribal Greenhouse Gas Inventory Tool, a free resource developed to help tribes estimate greenhouse gas emissions on tribal lands and from tribal activities. [OAP]
- d. Engage with tribes on the Green Power Partnership (GPP) and Combined Heat and Power (CHP) Partnership and continue to provide technical assistance to three tribal partners - one for GPP and two for the CHP Partnership. [OAP]

## **3. RULES AND POLICIES**

OAR recognizes the need to increase the opportunities for tribes to fully participate in the OAR rule and policy development process. This will help ensure that OAR rules address tribal concerns and will strengthen the tribal programs and the implementation of policy making efforts.

### **Specific Activities for 2014**

- a. Present at tribal conference calls (including monthly NTAA air policy calls, National Tribal Caucus meetings, etc.), participate at tribal conferences (National Tribal Forum on Air

Quality, Alaska Native Tribal Conference on Environmental Management, etc.) and hold informational meetings and conduct webinars on key rules to provide support for tribal participation for rulemaking actions. Presentations and webinars will be conducted as part of the rule development process to increase awareness and understanding; during the public comment period to enhance tribe's ability to provide meaningful input; and post proposal, to aid in implementation of final rules.

- b. Conduct outreach and offer, facilitate, and follow-up on government-to-government tribal consultations for OAR rulemakings, guidance documents and other actions.
- c. Reflect lessons learned when conducting outreach and consultation with tribal governments.

*(See A-1 in the Appendix for a list of projected OAQPS outreach and consultation activities.)*

#### **4. INTERNAL EPA ACTIVITIES AND ADDITIONAL PROGRAMMATIC ACTIVITIES**

OAR acknowledges that in order to strengthen our collaboration with tribal communities, every employee of OAR needs to have a working knowledge of how their work may impact tribal communities. Additionally, OAR managed grants will continue to help tribes strengthen their efforts to address air pollution. Finally, OAR will participate in various internal and external activities to expand overall communication and collaboration with tribal nations.

##### **Specific Activities for 2014**

- a. Increase OAR knowledge of tribal air quality programs and requirements through training efforts and internal teambuilding.
  - 1) Provide training opportunity for all OAR management and staff on "Working Effectively with Tribal Governments" using the online training located at <http://tribal.golearnportal.org/> or <http://intranet.epa.gov/aieo/training/tribal/EPA/mainmenu/launchPage.htm>.
  - 2) Provide additional training opportunities for OAR management and staff to enhance their ability to work effectively with tribes and on tribal issues:
    - a) Provide staff training for OAQPS, OAP, ORIA, and OTAQ on the *OAR Plan for Interacting with Tribal Governments* and a general introduction to working with tribal governments (via brown bags) and through one-day training events for staff on *Working Effectively with Tribal Governments*.
  - 3) Strengthen OAR's internal tribal team with cross office representation.
  - 4) Continue to coordinate with EPA offices outside of OAR to fully implement the 2011 Consultation Policy.
- b. Create OAR policies to ensure integration of tribal programs in OAR activities and specifically tribal consultation efforts under EO 13175 and EPA's developing implementation plan and policy.
  - 1) The Office of Transportation and Air Quality (OTAQ) will start developing an OTAQ Tribal Plan which will outline the strategy and goals to improve communication efforts and strengthen working relationships between OTAQ and Tribal communities. OTAQ will also host training sessions for its staff to help identify any potential tribal impacts OTAQ's work may have on tribal governments and/or communities.
  - 2) Finalize and implement the Office of Radiation and Indoor Air (ORIA) Tribal Strategy and Plan. The Plan will optimize limited indoor air quality resources in headquarters and the regions, and ensure our tribal indoor air and radiation protection activities are culturally relevant and responsive to tribal needs.

- 3) Finalize and implement the Office of Air Quality Planning and Standards (OAQPS) Tribal Program Plan. This plan will strengthen OAQPS's engagement with tribes on various air quality issues and will ensure that tribal perspectives continue to be considered when proposing regulatory and other programmatic issues.
  - 4) Continue to develop an Office of Atmospheric Programs (OAP) Tribal Plan which will help guide and inform OAP's work with tribes. In 2014, as part of the plan development process, OAP will continue to host listening sessions with tribes and conduct interviews with EPA staff in order to ensure that the final plan reflects tribal input and staff experience.
- c.** Continue and expand if possible, the use of Agency grant programs to increase tribal air quality efforts.
- 1) Manage national grants with NTAA and ITEP.
  - 2) Ensure effective implementation of grants to support training and technical support with ITEP, encourage tribal students to pursue careers in air quality management with the EEOP program and, develop and enhance tribal participation in policy and regulatory development with the NTAA.
  - 3) Manage grant with ITEP on tribal training support for community and tribal air programs (i.e., assist tribes in learning to write permits).
  - 4) Consult with tribes on modifying allocation factors for state and tribal air grant funds.
- d.** Additional collaborations.
- 1) Coordinate with NTAA and ITEP to support and assist with the annual National Tribal Forum (NTF) jointly.
  - 2) Support the TAMS Center's base operations to ensure the provision of top quality training and technical support. The TAMS Center will also upgrade IT capabilities to improve the capabilities of the Virgil Masayesva Tribal Training Center and ensure provision of top quality training.
  - 3) Pursue additional opportunities through Indian General Assistance Programs Funding.
  - 4) Collaborate and form partnerships with federal and private entities involved in tribal building projects. These collaborative partnerships will help develop clear and consistent policy and guidance on construction of buildings integrating features to promote good indoor air quality.
- e.** Maintain the OAR Tribal Air Website ([www.epa.gov/oar/tribal](http://www.epa.gov/oar/tribal)) and the Tribal Air Newsletter to disseminate information to the tribes. [OAQPS]
- f.** Foster strong communications with tribes and assist them with building relationships with other federal, state and local agencies.

## **APPENDIX**

- 1. 2014 Projected Tribal Outreach & Consultation Activities**
- 2. Office of Air & Radiation (OAR) Tribal Highlights for 2013**
- 3. 2013 Tribal Outreach & Consultation Activities**

## A-1. 2014 Projected Tribal Outreach & Consultation Activities

### Rules and Policies/Webinars/Informational Meetings

- ⇒ Greenhouse gases and criteria pollutants from utilities (covers 111d/b and CSAPR/transport).
- ⇒ Proposed Clean Power Plan ([www.epa.gov/cleanpowerplan](http://www.epa.gov/cleanpowerplan)).
- ⇒ Major source boilers and area source boilers.
- ⇒ Oil and gas sector.
- ⇒ Cement production, and other key rules reconsidered, proposed, or promulgated under sections 111, 112, and 129 through 2014.
- ⇒ Tribal Minor New Source Rule – Final.
- ⇒ 5-Year Study – in the Tailoring Rule: EPA made an enforceable commitment to conduct and complete a GHG 5-year study by 4/30/2014. The study will inform any decisions about lowering the thresholds as part of the Tailoring Rule Step 4. A nine state survey and online data gathering will allow us to collect some of the data needed for the study.
- ⇒ Tailoring Rule 4.
- ⇒ Title 5 Deseret Permit.
- ⇒ Exceptional Events Guidance and Notice of Proposed Rulemaking (NPRM).
- ⇒ NAAQS - Proposed Lead and Ozone.
- ⇒ 2012 PM 2.5 Air Quality Designations.
- ⇒ RACT/RACM Rule.
- ⇒ Implementation of Tribal New Source Review Rules, includes:
  - ♦ Training, outreach, capacity building, planning and development for implementation by tribes and regional offices and meeting data and recordkeeping requirements;
  - ♦ Develop general permits and/or permits by rule and other rules to streamline implementation for 11 source categories: gas dispensing facilities; auto body repair and miscellaneous surface coating operations; petroleum dry cleaners; stone quarrying, crushing and screening facilities; hot mix asphalt plants; boilers; spark-ignition engines; compression-ignition engines; graphic arts and printing operations; concrete batch plants; sawmills.
  - ♦ Develop approach (i.e., general permit, federal implementation plan, permit by rule, other) for managing emissions from oil and natural gas source category in Indian country.
  - ♦ Implement ambient air rules and program for Indian country including the following activities:
    1. Complete and provide technical assistance to tribes to facilitate their participation in the designations process consistent with the 2011 policy on designations in Indian country.
    2. The EPA will work with tribal governments and interested stakeholders and will conduct consultation to identify potential energy efficiency and renewable energy data sources in order to determine whether CO2 goals can be established for the four tribes with affected sources in the final Clean Power Plan.



## **A-2. Office of Air & Radiation (OAR) Tribal Highlights for 2013**

### **OFFICE OF AIR & RADIATION (OAR) TRIBAL HIGHLIGHTS FOR 2013**

The year 2013 was one of change and new beginnings for the Office of Air and Radiation's (OAR) Tribal Air Program. Working with our tribal partners, we adapted to new realities that included a new tribal program coordinator in OAR, furloughs, and reduced funds and resources. Strong partnering with the National Tribal Air Association (NTAA) Executive Committee and the Institute for Tribal Environmental Professionals (ITEP) ensured that the National Tribal Forum (NTF) on Air Quality and the NTAA would rise up out of the ashes of an unsuccessful grant and continue to play a major role in the future of the Tribal Air Program.

#### **INTERNAL CHANGES, EVENT AND IMPACTS**

**Changing Faces and Places in EPA** – While EPA lost a true champion when EPA Administrator Lisa Jackson left her position in late 2012, she left the Agency and the tribal air program in great hands. EPA's new administrator, Gina McCarthy, has a history of dedication to the environment and tribal air programs having been the Assistant Administrator for OAR since 2009. Acting Assistant Administrator Janet McCabe has continued the important air quality work she had previously worked on with the Administrator. Other changes in OAR staff also directly affected the tribal air program. After interviewing many qualified candidates, OAR selected Pat Childers in February of 2013 to be the new Office Tribal Program Coordinator. During the time that the position was vacant, the OAR Tribal Team continued to work with tribal partners and have been instrumental in assisting Mr. Childers into becoming an effective part of the team.

**Funds and Furloughs** – OAR administers over 12 million dollars in state and tribal assistance grants to provide to tribal governments and institutions to administer tribal air and related training programs. In 2013, this funding to tribes was decreased by 5 percent (however, funding for 2014 was increased). Tribes have reported out to OAR on the effect this reduction had on them, including reduced hours and reduced training opportunities. OAR was not immune to reductions as well. OAR staff, including all members of the OAR Tribal Team, were required to take furlough days in 2013, making them unavailable to our tribal partners during this time. We also began 2014 with additional furlough days affecting OAR's ability to progress on our important tribal work and will likely have a similar effect as 2013.

**NTAA, ITEP and NTF** – OAR's primary partners in implementing the tribal air program are the tribes themselves, the NTAA and ITEP. The NTAA and ITEP act as a conduit to the tribes and jointly sponsor the annual National Tribal Forum on Air Quality (NTF). After an issue with a grantee in 2012 became irresolvable, funding for both the NTAA and the NTF were questionable in 2013. The OAR Tribal Team and the NTAA Executive Committee worked diligently until a new grant could be put in place. OAR partnered with ITEP on an amendment to their grant that allowed the continued success of the National Tribal Forum. Now with proper grants in place to support the NTAA, ITEP and NTF, the organizations can focus more clearly on the important work of the tribal air program. In 2013, OAR continued to support development of tribal capacity to improve outdoor and indoor air quality and implement the Clean Air Act (CAA) in Indian country.

## **TRIBAL AIR MONITORING SUPPORT (TAMS) CENTER STRATEGIC PLANNING**

The successful OAR/ITEP/Tribal TAMS Center collaboration is now in its 13<sup>th</sup> year – providing technical support to environmental professionals in Indian country. In 2013, the TAMS Center conducted a needs assessment among tribal environmental professionals to help determine ambient/indoor air quality needs and the direction and focus of the TAMS Center in future years. The assessment had various categories asking the participant to prioritize projects based on their needs. A total of 49 tribes participated in the survey. The top three priorities were: 1) continuous ambient air monitoring, 2) indoor air quality, and 3) emission inventory.

The TAMS Steering Committee is developing recommendations based upon the needs assessment survey. The TAMS Center hired an equipment specialist to help with management of air monitoring tools/equipment. This position has been vacant for the past two years which has consequently delayed services of the TAMS Center to the tribes. The TAMS management is looking forward to utilizing the services of this individual to better serve the tribes with their air monitoring needs.

## **COMMUNICATION AND CAPACITY DEVELOPMENT**

**Ongoing Success With Our Partners** - At the end of 2013, EPA regions reported to OAR that seven additional tribes had been found eligible to implement one or more of the CAA programs in Indian country. Five tribes have submitted implementation plans for CAA programs for their reservations. Three tribes are implementing CAA §110, two tribes are implementing Title V permitting programs, and one is developing a minor new source permitting program. Many other tribes are conducting assessments, monitoring their air quality, both indoors and out, and undertaking activities typical of any air quality management program; including, conducting outreach and education efforts for their communities; participating in local, regional and national planning efforts and in organizations including NTAA; and working with neighboring jurisdictions and EPA to develop effective programs and policies. OAR implemented a set of activities in 2013 to support these widespread and diverse tribal air quality programs.

The selections below highlight some of OAR's achievements from our 2013 Tribal Air Agenda.

### **1. TRAINING AND CAPACITY BUILDING**

In 2013, OAR provided numerous training opportunities including:

#### **Ambient Air Quality and Toxics**

- a. Held over 35 informational meetings, webinars, and listening sessions on topics such as: MATS; NSPS for Wood Heaters; Pulp and Paper; Ozone Advance; GHG NSPS; NAAQS 1-Hour NO<sub>2</sub>, SO<sub>2</sub> and PM<sub>2.5</sub>; Tribal NSR; SIP Guidance; Start-up, Shut-down, and Malfunction; Ozone Effects on Sensitive Plants; and Climate Change Adaptation. *(See the Appendix for an overview of actions/topics discussed in the webinars and informational meetings.)* [OAQPS]
- b. Supported ITEP trainings, which included SIP training for tribes (training pertains to how tribes can engage on SIP development with the surrounding states), TIP/Treatment as State (TAS), AQS, and emissions inventory trainings. [OAQPS].

- c. The TAMS Center delivered three air quality technical courses to more than 45 tribal professionals in Air Pollution Technology, Application of GIS in Air Quality, and Meteorological Monitoring.
  - 1) The TAMS Center provided on-site training for two tribal professionals on use of school air toxic monitoring instruments (Tohono O'dom, and Moapa Band of Paiute Indians)
  - 2) TAMS Technology Specialist provided two on-site trainings on Ozone analyzers to two tribes in Region 5 EPA (Keenewa Tribe and Little Travis Bay Band). The training included operation of Primary Standard, Ozone calibrator, and Zero Gas. Another set of Ozone analyzer was used to measure ozone concentration at Hopi Tribe in Region 9 EPA. This was a continuation of a study that began in FY 2012.
  - 3) Through its Professional Assistance (PA) program, the TAMS Center reached out to nine tribal nations to provide on-site, one-on-one technical assistance. The assistance ranged from setting up monitors, to trouble shooting, maintenance, and calibration of equipment.
- d. OTAQ, OAP and ORIA staff participated in the Alaska Tribal Conference on Environmental Management in November 2013, which took place in Anchorage, Alaska.
  - 1) The OTAQ staff member was able to collect and disburse pertinent information regarding OTAQ's work and grant opportunities and learn about Alaska's tribal diesel emission reduction needs.
  - 2) OAP held the first tribal listening session to gather input from tribes in Alaska regarding the development of the OAP Tribal Program Plan and feedback regarding OAP tribal program priorities.

### **Indoor Air and Radiation**

- a. Participated in planning of the new training course titled, the Indoor Air Diagnostic Tools. This course is a technical course setting up procedures to assess health of a building utilizing various diagnostic tools.
- b. Conducted an onsite IAQ Tribal Housing Trainings for (30) new and remodeled homes to be built at the Spokane Tribe (WA) slated to be built in 2012-2013:
  - 1) Radon New Construction Trainings for Single Family Homes
  - 2) Retrofit Guidelines Trainings for Remodeled Homes
  - 3) IAP Plus/Energy Efficiency Training for New Homes
- c. National Tribal Forum (NTF) on Air Quality (May 2013, Fort McDowell, AZ)
  - 1) NTF attendees were presented an onsite Tribal IAQ Training focused on education, and information surrounding IAQ Tribal Sustainable/Energy Efficiency Housing Techniques (RRNC/ IAP / Retro-fit Guidelines).
  - 2) Six tribal professionals attended the NTF via scholarship to learn share and gain knowledge on how to build IAQ program capacity.

**d. Institute for Tribal Environmental Professionals (ITEP)**

1) (65) ~ tribal professionals were provided IAQ technical assistance by NAU/ITEP staff directly related to several discreet ongoing IAQ efforts.

2) Tribal community collaborative efforts were established and fostered.

- a) Inter-Tribal Council of Nevada (ITCN), Reno, NV
  - The ITCN staff requested a review of a mold inspection report they had received from a vendor. The mold inspection report was limited to collecting and reporting spore samples. Recommended a more expanded IAQ assessment.
- b) Big Pine Paiute Tribe of the Owens Valley, Big Pine, CA
  - Conducted an IAQ building assessment on a tribal office building. Working on an IAQ building assessment report.
- c) Pyramid Lake Paiute Tribe, Nixon NV
  - Conducted training for 2 interns and 1 maintenance staff on IAQ issues.
- d) Navajo Nation, Shiprock, NM (Dine College)
  - Working with Dine College on a coal and wood stove study. The goal of the study is to reduce impact of stoves on IAQ.
- e) Navajo Nation, Window Rock, AZ (Navajo Nation EPA)
  - Provided a one-hour introduction to IAQ basics to four of the NNEPA staff. Working with USEPA Region 9 staff on a mold webinar. The Navajo Nation has closed several buildings because of mold concerns. The NNEPA air quality staff are interested in expanding IAQ efforts.
- f) Tohono O'odham Tribe, Sells, AZ
  - Working with Tohono O'odham Tribe on mold complaints. Previously conducted a webinar on mold with several tribal staff. Discussing a more expanded mold training effort and a visit to assess situation.
- g) Hopi Tribal Housing Authority, Polacca, AZ
  - Participated in a Do it Yourself (DIY) Weatherization Training and provided information on IAQ concerns related to weatherization. Coordinating with the Hopi Tribal Housing Authority on future projects to address IAQ concerns in Hopi housing.
- h) Ute Mountain Ute Tribe, Towaoc, CO
  - Provided information on IAQ issues to response to concerns about the tribal education department building.
  - Three tribal webinars on radon, schools, and asthma were completed and presented to 100 plus attendees online/conference call.

### **Climate Change**

- a.** Through an ongoing cooperative agreement with ITEP, OAP has supported development of a national climate change adaptation planning training program and online resources for tribes. [OAP]
  - 1) As of 2013, under the ITEP training cooperative agreement, 184 people from 120 tribes or tribal organizations have been trained in developing adaptation plans to prepare for the expected impacts of climate change.
  - 2) The ITEP cooperative agreement also provides information and training with a special focus on Alaska Natives. As of 2013, ITEP has completed three Alaska webinars, a training curriculum, a case study of a native village, and climate science/black carbon fact sheets designed for Alaska natives.
- b.** Provided funding to send three tribal participants (two tribes and one tribal organization) to the National Adaptation Forum in Denver, Colorado in April 2013. This participation ensured that tribes were given the opportunity to share their experiences and unique perspectives with the broader adaptation community. In addition, tribal participants were also able to learn about strategies, lessons, tools, and information necessary to incorporate climate change into their work in their communities. [OAP]
- c.** Partnered with two tribes to provide free training for tribal automotive technicians on improving motor vehicle air conditioning (MVAC) refrigerant servicing and reducing greenhouse gas emissions consistent with requirements established under Clean Air Act Section 609. All technicians servicing MVAC systems must be 609 certified and this training can help prevent refrigerant releases during the servicing and disposal of MVACs and encourage recovery and recycling of used refrigerant. [OAP]
  - 1) On February 23, 2013, EPA partnered with the Morongo Band of Mission Indians' Environmental Protection Department to provide training to 15 tribal fleet technicians, representing six tribes (Chukchansi, Karuk, Morongo, Soboba, Tachi Yokut, Viejas, and Yavapai-Apache), and 11 technicians became 609 certified.
  - 2) On April 29, 2013, EPA partnered with the Navajo Nation's Fleet Management Department to provide training to 42 Navajo fleet personnel.
- d.** Launched the Tribal Climate and Energy Resources and Opportunities website to provide information and resources to help tribes achieve their energy efficiency, renewable energy, and waste reduction goals. Investing in these areas can help tribal communities reduce greenhouse gas emissions and other air pollution, save money, become self-sufficient in energy production, and increase their resilience to climate change impacts. [OAP]

### **Other**

- a.** In partnership with the Children's Melanoma Prevention Foundation, OAP's Sun Safety Program assisted with the release of Wiseheart Saves the Dawn, an e-book based on Native American legend that includes sun protection messages. Published April 23, 2013, the Wiseheart Saves the Dawn story may be downloaded to a computer, tablet, or smartphone.

## 2. TECHNICAL SUPPORT

OAR recognizes the need to provide direct technical support to our tribal partners to assist them in implementing effective air quality programs and projects through the following activities:

### Ambient Air Quality and Toxics

- a. Added and provided guidance to two new tribes into the Ozone Advance Program. The Ozone Advance promotes local actions to reduce ozone precursors in attainment areas to help these areas continue to maintain ozone NAAQS. The program encourages tribal governments to take proactive steps to keep their air clean. [OAQPS]
- b. Completed and released the *Guidance for Indian Tribes Seeking Class I Redesignation of Indian Country Pursuant to Section (164(c) of the Clean Air Act*. [OAQPS]
- c. Completed and released the resource manual *Developing Designation Recommendations for Areas of Indian Country*. This resource manual provides technical assistance to tribes to facilitate their participation in the designations process consistent with the 2011 policy on designations in Indian country.[OAQPS]
- d. Completed and released 12 Tribal Minor NSR registration calculators for existing true minor sources of air pollution in Indian country. Source categories included: gas stations; dry cleaning operations; auto body shops; sawmills; landfill operations; hot mix asphalt plants; concrete batch plants; printing operations; rock crushing and stone processing operations – including sand and gravel production; surface coating operations; degreasers/solvents/cleaners; industrial boilers and stationary internal combustion engines. [OAQPS]
  - 1) Held five instructional training webinars with tribal environmental professionals on the use of the registration calculators.
- e. Held monthly tribal New Source Review (NSR) and tribal designation calls with tribal environmental professionals – these calls served as a discussion/informational forum regarding upcoming actions/activities in these areas. [OAQPS]
- f. Managed the monthly NTAA and EPA Air Policy calls (10 months) until a new funding vehicle was established for the National Tribal Air Association (NTAA). [OAQPS]
- g. Supported the installation of two CASTNET small-footprint tribal monitoring sites at Kickapoo (KS) (installed Feb 2014) and Red Lake (MN) (scheduled to be installed spring 2014). These small-footprint monitoring sites provide a low cost, low maintenance method for tribes to become involved with the CASTNET monitoring program. [OAP]

### Indoor Air and Radiation

- a. Indoor Air Quality Tribal Communities/NAU (IAQTC) Website Activity
  - 1) 6500 total visits to the IAQTC website approximately 541 visits per month have connected to the IAQTC. As a complement to our IED web presence,
  - 2) NAU/ITEP developed a website to track their technical assistance and training efforts regarding their cooperative agreement deliverables
- b. TAMS Center Technical Support
  - 1) Completed the Wet Deposition Mercury monitoring for two tribes for period of one year (Makah Nation, EPA Region 10, and Hualapai Nation, EPA Region 9)
  - 2) Five sets of monitoring equipment was sent to tribes for their use in the field, the equipment included, two mini vols for PM 2.5 measurement, 2 Ozone Analyzers with their accessories and one set of school air toxic monitoring equipment.

- 3) Drafted a Statement of Work (SOW) for the Request for Proposal (RFP) for commercial laboratories to bid for PM 2.5 filter weighing service for tribes. The RFP itself is being worked on by the TAMS staff. It will be finalized in early 2014
- c. Eight tribes received \$280K of funding through SIRG grants.
- d. Radiation Support
  - 1) In October 2013, ORIA offered a three-day technical Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) Training Class to Navajo Nation EPA and Bureau of Mines personnel. The training was held in Gallup, New Mexico and was intended to assist the Navajo Nation in conducting and reviewing radiation surveys of sites, including former uranium mining sites. Approximately 15 individuals were trained at this event.
  - 2) Funding support was provided to Region 9 and the Navajo Nation EPA to help sponsor the annual Uranium Contamination Stakeholder Workshop in Gallup, New Mexico; ORIA covered the total cost of the hotel meeting space and supplies (\$2,753.30). ORIA staff also participated in the April 2013 working meeting, which addressed legacy uranium issues on tribal lands. The workshop focused on the Five Year Plan and included sessions on contaminated water sources, contaminated structures, health, and a community discussion on abandoned uranium mines. Approximately 170 people participated in the two-day workshop.
  - 3) ORIA engaged tribes in the discussion of a newly revised Protective Action Guides (PAGs) Manual, which was issued for public review and comment. In August 2013, two webinars were offered specifically for our tribal partners. The webinars, which allotted time for questions and answers, provided background information on the PAGs and covered key changes in the Manual from the 1992 version. Approximately ten individuals associated with our tribal partners participated in the webinars

## 5. RULES AND POLICIES

OAR recognized the need to increase the opportunities for tribes to fully participate in the OAR rule and policy development process to ensure that OAR rules addressed tribal concerns and strengthened tribal programs and the implementation of policy making efforts.

### **Significant Accomplishments for 2013**

- a. Presented on tribal conference calls (including monthly NTAA air policy calls, National Tribal Caucus meetings, etc.), participated at tribal conferences (National Tribal Forum on Air Quality, Alaska Native Tribal Conference on Environmental Management, etc.) and held informational meetings, listening sessions, and webinars on key actions to provide support for tribal participation in the rulemaking process. Presentations and webinars were conducted as part of the rule development process to increase awareness and understanding; during the public comment period to enhance tribes' ability to provide meaningful input; and post proposal, to aid in implementation of final rules.
- b. Conducted outreach and offered, facilitated, and followed-up on government-to-government tribal consultations for OAR rulemakings, guidance documents and other actions.

### **Ambient Air Quality and Toxics**

- a. Invited federally recognized tribes to consult with the EPA on upcoming regulatory actions and/or decisions that may affect them.
  - 1) Sent out seven consultation letters on proposed rulemakings and guidance documents to tribal leadership in each of the 566 federally recognized tribes. [OAQPS]
- b. Held over 22 webinars and informational meetings for tribal environmental professionals on upcoming/proposed regulatory actions and/or policies. In addition, OAQPS formally presented over 16 times on the NTAA & EPA air policy calls providing information/updates on proposed rulemakings, policies and guidance documents. [OAQPS]
- c. Held 13 listening sessions on Reducing Carbon Pollution from Existing Power Plants. [OAQPS]
- d. Completed proposal for general permits and permits by rule for the following 5 source categories: Hot mix asphalt plants; stone quarrying, crushing, and screening facilities; auto body repair and miscellaneous surface coating operations; gasoline dispensing facilities; and petroleum dry cleaning facilities. Published in Federal Register in January 2014. [OAQPS]

*(See A-3 in the Appendix for a listing of the regulatory actions/topics discussed in the monthly NTAA/EPA calls, consultation letters, webinars, and informational meetings.)*  
[OAQPS]

### **Indoor Air and Radiation**

- a. In response to the OAR Tribal Air & Radiation Strategy, the ORIA Tribal Team (headquarters and regions) and Indoor Environments Division are developing a federal collaborative partnership with a goal to improve the effectiveness of federal programs and resources in Indian country. Initial work in 2013 focused on identifying key programs and participants at the national and regional level. Initial discussion included HUD's Office of Native American Programs (ONAP), Indian Health Service, USDA's Rural Development Program and BIA's Housing Improvement Program (HIP).
- b. In response to food safety concerns raised by Alaska Natives at the November 2013 Alaska Tribal Conference on Environmental Management (ATCEM), ORIA coordinated with other EPA Offices, FDA and NOAA, and participated in an Alaska Department of Environmental Conservation (ADEC) workgroup to identify and publish relevant food safety data, communicate more effectively to tribes on radiation risk from locally harvested foods, as well as to represent the need for additional relevant testing to confirm the safety of locally caught and consumed seafood.

## **4. INTERNAL EPA ACTIVITIES AND ADDITIONAL PROGRAMMATIC ACTIVITIES**

OAR acknowledges that in order to strengthen our collaboration with tribal communities, every employee of OAR needs to have a working knowledge of how their work may impact tribal communities. Additionally OAR managed grants will also continue to help tribes strengthened their efforts to address air pollution. Finally, OAR participated in various internal and external activities to expand overall communication and collaboration with tribal nations.



**Highlights from 2013**

- a. Increased OAR knowledge of tribal air quality programs and requirements through training efforts.
- b. Finalized the OAR Handbook for Interacting with Tribal Governments. Introduction to the OAR staff will begin early 2014.
- c. All OAR management and staff completed EPA's "Working Effectively with Tribal Governments" online training.
- d. Initiated development of an OAP Tribal Plan which will help guide and inform OAP's work with tribes. As part of the plan development process, OAP held the first tribal listening session at the Alaska Native Tribal Conference on Environmental Management in Anchorage, AK on November 12, 2013.
- e. In April 2013 the OAR Indoor Air and Radiation Tribal Strategy and Plan was finalized (v1). The "OAR Indoor Air and Radiation Tribal Strategy and Plan" was unveiled at the National Tribal Forum (NTF) in May 2013. The Strategy identifies 6 priority categories of tribal needs and recommendations, and the plan identifies commitments and activities to address each tribal priority area.
- f. In 2013 the ORIA tribal team was formed from representatives from each ORIA Division/Lab and members from representative regions, as well as the ORIA Tribal Coordinator, OAR Tribal Coordinator and ORIA Lead region. The team has been meeting on a biweekly basis and has focused on implementation of the OAR Indoor Air and Radiation Tribal Strategy and Plan, including development of a federal collaboration initiative that has national and regional components. [ORIA]
- g. Strengthened outreach and communication to increase tribal participation in Diesel Emission Retrofit Act (DERA).
  - 1) OTAQ hosted two DERA teleconferences focused specifically on tribal applications for the new standalone DERA Tribal RFP.
  - 2) OTAQ continued to improve its DERA tribal webpage to feature DERA tribal awardees and share information. <http://www.epa.gov/cleandiesel/prgtribal.htm>
  - 3) OTAQ visited three DERA tribal awarded projects. Staff visited and met with the grant administrators, tribal environment staff from the nations of Soboba Band of Luiseno Indians, Morongo Band of Missions Indians, and Salt River Pima Maricopa
- h. OAR Tribal System (OTS) Updates
  - 1) New Login Scheme – Programmed a new login scheme, replacing the Lotus Notes LDAP scheme and using the LAN username and password. Final testing was completed in mid-March 2014 and is now in production. This will alleviate users' problems with syncing their Lotus Notes password since we switched to MS Office.
  - 2) Maps – The lower 48 state tribal maps have been updated and reviewed using the new OEI shapefiles, with the maps displaying the latest OEI tribal names. OEI has also standardized the GIS shapefiles for tribal boundaries and we upgraded to the current shapefile. In turn, we also matched these new maps to be consistent with the latest tribal names. [OAQPS]
- i. Completed over 240 updates to TurboQAPP to provide more upfront information and links to tools and guidance to assist a user in developing a better Quality Assurance Project Plan. [OAQPS]

### A-3. 2013 Tribal Outreach & Consultation Activities

#### 1) NTAA & EPA Air Policy Calls – OAQPS Discussion Topics

⇒ Boiler Rules	⇒ CISWI Rules	⇒ Solid Waste Rules
⇒ Cement Rules	⇒ Kraft Pulp & Paper	⇒ AQ Emissions for Landfills
⇒ The CAA & Upcoming Greenhouse Gas Actions for Power Plants	⇒ Tribal Minor NSR -Amendments -Oil & Gas	⇒ Overview of SIP Guidance
⇒ Area Designations and Implementation of SO <sub>2</sub>	⇒ Startup, Shutdown, and Malfunctions (SSM)	⇒ Residential Wood Heaters
⇒ Transport Issues	⇒ Monitoring Funding	⇒ President's Climate Action Plan

#### 2) Webinars – 11 webinars were held with tribal environmental professionals on the following proposed actions/activities:

- ⇒ Building a Common Understanding: Clean Air Act and Upcoming Carbon Pollution Guidelines for Existing Power Plants
- ⇒ Climate Change Guidelines for New and Existing Electric Generating Units (EGUs)
- ⇒ Proposed Revision of NSPS for New Residential Wood Heaters
- ⇒ EPA PM 2.5 Designations Database and Mapping Tool
- ⇒ Tribal Minor NSR Registration Calculators for Existing True Minor Sources of Air Pollution in Indian Country

#### 3) Information Meetings/Group Calls/Listening Sessions – 22 events were held with tribal environmental professionals on the following proposed actions/activities:

- ⇒ EPA's NAAQS review of ozone and its effect on ozone sensitive plants used by tribes. EPA is currently reviewing its NAAQS for ozone and is in the process of preparing second drafts of Risk and Exposure Assessment (REA) and Policy Assessment (PA) documents. EPA is offering tribes an opportunity to contribute information, in particular as it relates to ozone sensitive plants that are regularly used by tribes in their cultural and subsistence practices.
- ⇒ General permits and permits by rule for the Tribal Minor New Source Review Program
- ⇒ OAR Handbook on Interacting with Tribal Governments
- ⇒ Proposed Amendments to Tribal Minor NSR Rule
- ⇒ Climate Change Guidelines for New and Existing Electric Generating Units
- ⇒ Overview/update on Exceptional Events
- ⇒ Summary of Comments from EPA's Public Listen Sessions for Carbon Pollutions Guidelines
- ⇒ Completed proposal on general permits and permits by rule for the following 5 source categories: hot mix asphalt plants; stone quarrying, crushing, and screening facilities; auto body repair and miscellaneous surface coating operations; gasoline dispensing facilities; and petroleum dry cleaning facilities. Published in Federal Register in January 2014.

### **A-3. 2013 Tribal Outreach & Consultation Activities (continued)**

**4) Consultations** – Consultation letters on (7) proposed actions were sent to the tribal leadership of 566 federally recognized tribes. A courtesy copy was also sent (via email) to their respective tribal environmental professionals. In addition a notice of consultation was posted in EPA’s Tribal Consultation Tracking System (TCOTS) which is available for viewing by the general public.

- ⇒ Climate Change Guidelines for Existing Electric Units (EGUs)
- ⇒ Climate Change Guidelines for New and Existing Electric Generating Units (EGUs)
- ⇒ Climate Change Guidelines for New and Existing Electric Generating Units (EGUs). Individual letters were sent to: Ak Chin Indian Community; Fort McDowell Yavapai, Gila River Indian Community, Navajo Nation, and Tohono O’odham tribal leadership.
- ⇒ Proposed Revision of NSPS for New Residential Wood Heaters
- ⇒ General Permits and Permits by Rule for the Tribal Minor New Source Review (NSR) Program
- ⇒ Proposed Amendments to the Tribal Minor NSR Rule
- ⇒ OAR Handbook on Interacting with Tribal Governments